United Nations A/HRC/31/42

General Assembly

Distr.: General
8 January 2016

Original: English

Human Rights Council
Thirty-first session
Agenda items 2 and 7

Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Human rights situation in Palestine and other occupied Arab territories

Implementation of the recommendations contained in the report of the independent international fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem

Report of the United Nations High Commissioner for Human Rights

Summary

The present report, submitted pursuant to Human Rights Council resolution 28/26, provides information on the status of implementation of the recommendations contained in the report of the independent international fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem.

The report addresses continued Israeli settlement activity; settler violence and lack of accountability; issues related to Palestinian detainees, including children in Israeli custody; and business and human rights in relation to the settlements.

GE.16-00222(E)

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I. Background

1. In its resolution 28/26 on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan, the Human Rights Council requested the United Nations High Commissioner for Human Rights to present a report to the Council at its thirty-first session, specifying the status of implementation of the recommendations contained in the report of the independent international fact-finding mission on the implications of Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem (A/HRC/22/63).

2. The present report, submitted pursuant to resolution 28/26, contains information gathered by the Office of the United Nations High Commissioner for Human Rights (OHCHR). In it, reference is made to reports of the Secretary-General, the Special Rapporteur on the situation of human rights in Palestinian territories occupied since 1967 and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. Reference is also made to submissions received from Member States on the status of implementation of the recommendations contained in the report of the fact-finding mission.

3. The report covers the period between November 2014 and November 2015. It should be read in conjunction with the report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan (A/HRC/31/43) and other recent reports of the Secretary-General and the High Commissioner on the situation of human rights in the Occupied Palestinian Territory.[1]

II. Overview of the recommendations of the fact-finding mission

4. In paragraphs 112-115 of its report, the fact-finding mission made recommendations, of which several were addressed to Israel. Recalling article 49 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), the mission called upon the Government of Israel:

(a) To cease all settlement activities without preconditions;

(b) To immediately initiate a process of withdrawal of all settlers from the Occupied Palestinian Territory;

(c) To ensure adequate, effective and prompt remedy to all Palestinian victims for the harm suffered as a consequence of human rights violations resulting from settlements. In that regard, the fact-finding mission noted that, where necessary, steps should be taken to provide such remedy in concurrence with the representatives of the Palestinian people and the assistance of the international community;

(d) To put an end to the human rights violations linked to the presence of settlements;

(e) To ensure full accountability for all violations, including all acts of settler violence, in a non-discriminatory manner, and to put an end to the policy of impunity;

[1] A/HRC/31/40 and Add/1, A/70/351 and A/70/421.

(f) To put an end to arbitrary arrest and detention of Palestinians, especially children, and to observe the prohibition of the transfer of prisoners from the Occupied Palestinian Territory to the territory of Israel, in accordance with article 76 of the Fourth Geneva Convention.

5. In paragraph 116 of its report, the fact-finding mission called upon all Member States to comply with their obligations under international law and to assume their responsibilities in their relations with a State breaching peremptory norms of international law. The mission specifically urged Member States not to recognize the unlawful situation resulting from the violations by Israel.

6. Lastly, in paragraph 117 of its report, the fact-finding mission recommended that private companies must assess the human rights impact of their activities and take all necessary steps — including by terminating their business interests in the settlements — to ensure that they do not have an adverse impact on the human rights of the Palestinian people, in conformity with international law and the Guiding Principles on Business and Human Rights. In that regard, the mission called upon all Member States to take appropriate measures to ensure that business enterprises domiciled in their territory and/or under their jurisdiction, including those owned or controlled by them, that conduct activities in or related to the settlements, respect human rights throughout their operations. The mission recommended that the Working Group on and the issue of human rights and transnational corporations and other business enterprises be seized of the matter.

III. Status of implementation of the recommendations of the fact-finding mission

A. Israeli settlement activity

7. As noted in the report of the Secretary-General on Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and the occupied Syrian Golan submitted to the General Assembly at its seventieth session (A/70/351), a pause in settlement advancement in East Jerusalem, which started in November 2014, ended on 27 April 2015 when tenders were issued for 77 residential units in the settlements of Pisgat Ze'ev and Neve Ya'akov. Furthermore, settlement activities were under way early in May 2015, building on significant developments in relation to Ramat Shlomo, Har Homa and Givat Hamatos, reported previously, and significantly affecting the make-up of East Jerusalem (see A/HRC/28/44, paras. 7-10).

8. Between the beginning of 2015 and July of that year, tenders for 634 housing units were issued in the West Bank, including East Jerusalem. In July 2015, the Government of Israel approved plans to build 300 new homes in a settlement in the West Bank. On 29 July, the Secretary-General condemned the approval by the Prime Minister of Israel of the construction of 300 housing units in the Beit El settlement, near the Palestinian city of Ramallah, in the West Bank. The Secretary-General also condemned the planning and construction of nearly 500 housing units in a number of settlements in East Jerusalem. He reiterated that settlements are illegal under international law, an impediment to peace and cannot be reconciled with the stated intention of the Government of Israel to pursue a two-

State solution. He urged the Government to halt and reverse such decisions in the interest of peace and a just final status agreement.[2]

9. According to the Israeli non-governmental organization Yesh Din, since May 2011 approximately a quarter of the 100 unauthorized outposts in the West Bank have either been retroactively approved or are in the process of retroactive approval by the Civil Administration's Supreme Planning Committee. Following the elections in Israel, in March 2015 the new coalition Government committed to establishing an interministerial committee tasked with proposing a framework to promote the legalization of outposts (see A/70/351, para. 14).

10. As reported by the Secretary-General, the retroactive legalization of outposts is considered as another arm of settlement expansion, alongside the planning, tendering and construction process, and the support given to outposts at their outset, such as the security provided by Israel Defense Forces soldiers upon establishment of an outpost. This policy effectively rewards settlers for grabbing land in the West Bank in a process that "frequently involves violations of the rights of Palestinians". The lack of enforcement of the rule of law and the rewarding of illegal activity further encourage settlement expansion, creating additional obstacles to the objective of a negotiated two-State solution, and the right of Palestinians to self-determination, thereby undermining possibilities of peace (see A/70/351, para. 15).

11. During the reporting period, demolition of Palestinian property continued, accompanied by the forcible displacement of Palestinians, including Bedouins. Despite increased and concerted efforts and advocacy by the United Nations and the international community, the demolitions actually increased. On 18 August 2015, the Israeli Civil Administration carried out demolitions in a Palestinian Bedouin refugee community in Area C, near East Jerusalem. A total of 22 structures were demolished in four communities, located in and around the area of the planned E-1 settlement: Khan al-Ahmar Abu Falah, Wadi Sneysel, Bir Miskoob and Az Zayyem Bedouin. This led to the displacement of 78 Palestinians, including 49 children — mainly Palestine refugees. Many of those refugee families had been displaced four times in the last four years. The four communities are among 46 located in the central West Bank, which is included in Israeli plans to transfer Palestinian Bedouin communities to three designated sites.

12. On 19 August, following the demolitions, the United Nations Humanitarian Coordinator for the Occupied Palestinian Territory expressed grave concern, and called for an immediate freeze on demolitions in the West Bank.[3] He highlighted the strategic implications of those demolitions, which were occurring in parallel with settlement expansion. He also stressed that the relocation plan for those communities would effectively remove Palestinian presence in and around the planned E-1 settlement project, and warned that the project anticipated the construction of thousands of new Israeli housing units in the West Bank, on the outskirts of Jerusalem. The Humanitarian Coordinator recalled that the E-1 project had long been opposed by the international community as an obstacle to the realization of a two-State solution and a violation of international law.[4]

13. The Secretary-General has stated on several occasions that the implementation of the proposed "relocation" would amount to forcible transfers and forced evictions,

[2] "Secretary-General condemns Israeli approval of settlement building in West Bank, urges reversal of decision for sake of peace, 'just' final status agreement" (29 July 2015). During the reporting period, the Secretary-General deplored the advancement of settlement activities on several occasions, for instance on 15 May 2015 (see statement at www.un.org/sg/statements/index.asp?nid=8632).

[3] "UN officials call for an immediate demolitions freeze in the West Bank" (18 August 2015).

[4] Ibid. See also A/HRC/28/43, para. 11.

contravening the obligations of Israel as an occupying power under humanitarian and human rights law.[5]

14. According to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, August 2015 saw the highest number of demolitions of Palestinian structures in a single month, since January 2013. During that month alone, Israeli authorities demolished 145 structures, including at least 54 residential units and 16 donor-funded structures. The overwhelming majority of the demolitions occurred in Area C, mainly affecting the already vulnerable Bedouin herding communities.

B. Recourse to remedy for Palestinians

15. In the 10 years since the International Court of Justice, in its advisory opinion dated 9 July 2004 (A/ES-10/273 and Corr.1), concluded that the construction of the wall in occupied territory and the settlements were illegal, the settler population in the West Bank, including East Jerusalem, has increased substantially (see A/69/348, para. 10). The Court noted that the wall had been traced in such a way as to include within that area the great majority of the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem (see A/ES-10/273, para. 119).

16. By way of example, in August 2015 work on construction of the wall continued in Cremisan Valley, in Beit Jala village, despite protests by the Palestinian population. Reportedly, earth movers were uprooting olive trees to break the ground for the construction of the wall. The approval to take measures to construct the wall was granted on 8 July 2015 by the High Court. The wall, when fully constructed, will separate the West Bank city of Beit Jala from the settlement of Har Gilo and the village of Walaja. The planned route runs through the Cremisan Valley on land owned by 58 Christian Palestinian families, close to a monastery and its sister convent and school.

17. In 2007 the General Assembly decided, by its resolution ES-10/17, to establish the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory, which is mandated to record damage caused to all natural and legal persons concerned as a result of the construction of the wall by Israel in the Occupied Palestinian Territory, including in and around East Jerusalem.

18. The registration of damage is a technical, fact-finding process of listing or recording the fact and type of the damage caused as a result of the construction of the wall. It thus entails a detailed process that includes the submission of a statement setting out the alleged damage, eligibility for registration and the causality between the construction of the wall and the damage sustained. The Registry is not, however, a compensation commission or a claims-resolution facility, nor is it a judicial or quasi-judicial body. The act of registration of damage, as such, does not entail an evaluation or an assessment of the loss or damage (see A/ES-10/294, para. 1).

19. During the reporting period, the Registrar continued to collect, process and consider claim forms for inclusion in the Register in accordance with the rules and regulations governing the registration of claims. Since the Registry was launched in 2008, outreach efforts have covered 226 communities with a population of approximately 909,000 in the governorates of Jenin, Tubas, Tulkarem, Qalqiliya, Salfit, Ramallah, Hebron and Bethlehem, as well as in and around East Jerusalem.[6] As at 19 June 2015, more than 48,048

[5] United Nations Relief and Works Agency for Palestine Refugees in the Near East, "UN officials call for an immediate demolitions freeze" (19 August 2015).

[6] See A/ES-10/683 for details on work carried out between 20 June 2014 and 19 June 2015.

claims and over 800,000 supporting documents had been collected in the Occupied Palestinian Territory. At the time of writing, 18,845 of the collected claims had been considered by the Board of the Register and deemed valid for inclusion in the Register.[7]

C. Settler violence and lack of accountability

20. As reported by the Secretary-General, settler violence against Palestinians continued largely unchecked and without adequate protection or accountability on the part of the Israeli authorities (see A/70/351, para. 22).

21. According to data collected by the Office for the Coordination of Humanitarian Affairs, during the period between 1 January and 2 November 2015, 207 incidents of settler violence against Palestinians and/or Palestinian property occurred in the West Bank, including East Jerusalem,[8] compared with 278 incidents during the same period in 2014.[9] However, between 29 September and 26 October 2015, the number of incidents of settler violence increased significantly, with 54 cases in about one month.[10] The increase in violence coincided with the heightened tensions between Palestinians and Israeli security forces and an increased number of attacks against Israelis throughout the Occupied Palestinian Territory, particularly in East Jerusalem, since mid-September 2015.[11]

22. In October 2015, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories observed that continuing settlement expansion in the occupied West Bank and East Jerusalem was inextricably linked with a combination of restrictive planning policies for Palestinians, demolition orders on "illegal" Palestinian homes and structures built without permits and the oppressive and "coercive environment" fostered by settler violence. The Committee further noted that it was apparent from the testimonies it had received that the root cause of the escalating violence was the continuing policy of settlement expansion and the climate of impunity relating to the activities of the settlers (see A/70/406 and Corr.1, para. 11).

23. Lack of accountability for settler violence remains a major preoccupation. According to Yesh Din, most incidents of settler violence perpetrated against Palestinians and/or Palestinian property are poorly investigated and remain unpunished. During the period from 2005 to 2015, Yesh Din monitored 1,014 investigation files related to complaints about settler violence against Palestinians and their property in the West Bank. As of October 2015, an indictment had been issued in only 7.3 per cent of all cases concluded. The rest of the cases had been concluded without an indictment (91.6 per cent)

[7] See www.unrod.org.

[8] Office for the Coordination of Humanitarian Affairs, protection of civilians weekly report for 27 October-2 November 2015, available from www.ochaopt.org/poc27october-2november-2015.aspx.

[9] Office for the Coordination of Humanitarian Affairs, protection of civilians weekly report for 28 October-3 November 2014, available from www.ochaopt.org/documents/ocha_opt_protection_of_civilians_weekly_report_2014_11_07_english.pdf.

[10] Office for the Coordination of Humanitarian Affairs, protection of civilians weekly reports for 29 September–5 October 2015, 6 October–12 October 2015, 13 October–19 October 2015 and 20 October–26 October 2015.

[11] Office for the Coordination of Humanitarian Affairs, "Casualties in the Occupied Palestinian Territories and Israel" (1-31 October 2015), available from https://www.ochaopt.org/documents/wb_casualties_october_2015.pdf.

or the files had been lost (11 files).[12] A total of 624 files were closed on the grounds that the offender was unknown, which indicates that the police failed to locate and identify suspected offenders even though there was evidence that a criminal offence had been committed, and 208 files were closed owing to insufficient evidence.[13]

24. One case illustrating the lack of accountability for offences against Palestinians committed by Israeli settlers relates to the attack on the home of the Dawabsha family, in the West Bank village of Duma, on 31 July 2015. In his report to General-Assembly, the Secretary-General referred to this case as the most egregious example of settler violence, which led to the murder of Ali Dawabsha, a Palestinian toddler, and severely injured members of his family. Both of Ali's parents died from wounds in the ensuing weeks. The Secretary-General also noted that the incident led to violent demonstrations, resulting in clashes between Palestinians in the West Bank and the Israel Defense Forces, as well as attacks on Israeli civilians by Palestinians (see A/70/354-S/2015/677, para 31).

25. On 22 October 2015, in his briefing to the Security Council, the Deputy Secretary-General noted that the shocking murders of the Dawabsha family and the lack of progress in arresting the perpetrators were a critical trigger of the escalation in violence in October 2015. He underscored that the incident reflected an increasing sense of critical exposure among Palestinians in the face of settler violence and reinforced their feeling of injustice.[14] He stressed that it was imperative for Israel to take action to empower Palestinian institutions to protect vulnerable communities, and stressed that Israel must vigorously address the perceived impunity for settler violence by expediting investigations and prosecutions of the Dawabsha family's killers.[15]

D. Palestinian detainees, including children in Israeli custody

26. As concluded by the fact-finding mission, the existence of the settlements has a heavy impact on a wide range of Palestinians' human rights, including their rights to equality, due process, fair trial, not to be arbitrarily detained and liberty (see A/HRC/22/63, para. 105).

27. Moreover, Palestinians are routinely subject to arbitrary arrest and detention, including administrative detention, mass arrests and incarceration. Most children are arrested at "friction points" such as villages near settlements or on roads that are used by the army or settlers and run by a Palestinian village. From the moment of arrest, Palestinians face multiple violations of their rights to liberty and security and to a fair trial through interrogation, arbitrary detention, abuse, trial and sentencing.

28. According to the Palestinian non-governmental organization Addameer, 6,700 Palestinians were in Israeli detention as at 9 November 2015. Of that total, 450 were held in administrative detention on security grounds, in other words without charge or trial, and 320 were children.[16] The total number of Palestinian prisoners and detainees held by Israel

[12] Yesh Din, "Law enforcement on Israeli civilians in the West Bank: Yesh Din monitoring update 2005-2015" (October 2015). Available from www.yesh-din.org/userfiles/Datasheet_English_Oct%202015.pdf.

[13] Ibid.

[14] "Deputy Secretary-General's briefing to the Security Council on the situation in the Middle East" (22 October 2015). Available from www.un.org/sg/dsg/statements/index.asp?nid=674.

[15] Ibid.

[16] See www.addameer.org/statistics. Some Palestinians are held in Israeli detention centres and the Ofer prison in the Occupied Palestinian Territory, while others are transferred to Israeli interrogation

was reportedly up by some 1,000 persons compared with September 2015.[17] During the escalation of tension and violence in the Occupied Palestinian Territory in October 2015, there was a spike in arrests of Palestinians. In October alone, the Israeli security forces arrested 1,195 Palestinians, including 177 children and 16 females.[18]

29. During the reporting period, several Palestinian detainees in Israeli detention went on hunger strike in protest against administrative detention and the treatment to which they were being subjected. In July 2015, the Knesset approved the "prevention of damage by hunger-strikers bill", which would allow the head of the Israel Prison Service to submit a motion to a district court and request permission to force-feed a prisoner on hunger strike. Should a judge rule that force-feeding is permitted in a particular case, medical personnel could feed persons on hunger strike against their will, and use force to do so (see A/70/406, para. 42).

30. Using threats, coercion, force or physical restraints to feed individuals who have opted to adopt the extreme measure of going on hunger strike in protest against their detention is, even if intended for their benefit, tantamount to cruel, inhuman and degrading treatment.[19] Prisoners have the right to resort to peaceful protests. The Secretary-General has consistently called for persons in administrative detention to be formally charged or released without delay (see A/HRC/28/43, para. 6). The use of administrative detention under international humanitarian law is allowed under exceptional circumstances and for short periods of time only.

31. In relation to the military detention of children, the working group on grave violations against children, which is led by the United Nations Children's Fund (UNICEF), has gathered 24 affidavits (sworn testimonies) of children aged between 14 and 17 years reporting ill-treatment by the Israel Defense Forces, the Israeli police, the Israel Border Police, the Israel Security Agency and the Israel Prison Service while in Israeli security detention in the West Bank, including East Jerusalem. Of the children who submitted affidavits, 16 boys reported being subjected to at least 10 different types of violations, including painful hand-ties, leg-ties, blindfolding, strip-searching, verbal abuse, physical violence, the absence of notification of their rights and the absence of a lawyer or parent during interrogation. Two children reported being held in solitary confinement for 6 and 14 days respectively, in Al-Jalame and Petah Tikva detention centres in Israel.

32. In addition, 17 of the 24 boys were transferred outside the West Bank to detention facilities inside Israel (Hasharon and Megiddo), in contravention of the Fourth Geneva Convention.[20] As reported by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, an estimated 60 per cent of Palestinian child detainees from the Occupied Palestinian Territory are held in prisons and detention facilities inside Israel, in violation of article 76 of the Fourth Geneva Convention (see A/HRC/28/78, para. 59).

33. Since publishing "Children in Israeli military detention: observations and recommendations" in March 2013, UNICEF has been engaged in a dialogue with the Israeli authorities on the implementation of its recommendations. UNICEF reported that, in

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centres and several prisons within Israel, in contravention of the Fourth Geneva Convention (see para.4 above).

[17] See http://www.addameer.org/sites/default/files/publications/october_2015_newsletter.pdf.

[18] Ibid.

[19] Office of the United Nations High Commissioner for Human Rights, "UN experts urge Israel to halt legalization of force-feeding of hunger-strikers in detention" (28 July 2015).

[20] See www.unicef.org/oPt/UNICEF_-_State_of_Palestine_-Second_quarter_of_2014_CAAC_bulletin_-_Final(1).pdf.

October 2013 the Central Command of the Israel Defense Forces announced that it would conduct a pilot test of summonses of children in lieu of night arrests. In early February 2014, the Israeli authorities started the pilot programme in Nablus and Hebron governorates, with cases now being reported throughout the West Bank. The launch of the summons pilot test is an important operational measure to halt the practice of night arrests and tackle some of the protection concerns that arise during the first 48 hours of arrest.[21]

E. Business and human rights in relation to the settlements

34. In its resolution 25/28, the Human Rights Council reiterated the call it had already made in its resolution 22/29 for the relevant United Nations bodies to take all necessary measures and actions within their mandates to ensure full respect for and compliance with the Guiding Principles on Business and Human Rights and other relevant international laws and standards, and to ensure the implementation of the United Nations "Protect, Respect and Remedy" Framework, which provides a global standard for upholding human rights in relation to business activities that are connected with Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem. The international fact-finding mission recommended that the Working Group on the issue of human rights and transnational corporations and other business enterprises remain seized of the matter of corporate engagement with settlements (see A/HRC/22/63, para. 117).

35. Actions taken by the Working Group were reported in the previous report of the High Commissioner (A/HRC/28/43 and Corr.1).

36. In its report to the General Assembly at its seventieth session, the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories reported on information it received that several companies were profiteering, directly or indirectly, from a wide range of illegal Israeli practices. The Special Committee noted that such activities took an enormous toll on the daily lives of Palestinians and that private companies had allegedly played a major role in funding, facilitating and supporting the Israeli occupation (see A/70/406 and Corr.1, para. 18).

37. In that same report, the Special Committee grouped the activities of corporations involved in settlements into three broad categories (para. 19): (a) Israeli industry engaged in the construction of Israeli settlements, in production in settlements or in the provision of services to settlements; (b) control of the Palestinian population by constructing the wall and checkpoints, and the provision of private security or specialized equipment, such as surveillance and crowd control weapons; and (c) economic exploitation by using Palestinian workers, Palestinian natural resources or the Palestinian captive market. In addition, it referred to corporate activities of concern from a business and human rights perspective in the Occupied Palestinian Territory and the occupied Syrian Golan.

38. To exemplify the different categories, a number of case studies were presented to the Special Committee, for instance on financing the Israeli occupation, the exploitation of natural resources, corporate interdependency and the mislabelling of settlement products (see A/70/406 and Corr.1, paras. 20-27).

39. The Special Committee stressed that corporate actors needed to be held accountable for the impact of their activities on human rights. Both Governments and businesses played a role in and were responsible for protecting and respecting the human rights of the Palestinian people. Moreover, the Special Committee stressed that third countries too

[21] Ibid.

should be held responsible for ensuring corporations' respect for human rights and that they should cease to fund or enter into commercial transactions with organizations and bodies involved in settlements or the exploitation of natural resources in the occupied territories.

40. The Special Committee recommended that the General Assembly call on the State of Israel to inform Israeli and multinational corporations working in the occupied territories of their corporate social responsibility to act with heightened due diligence and of the international legal ramifications of business activities with negative human rights impacts, and to take appropriate measures to prevent, investigate, punish and provide redress for corporate abuse and/or exploitation of resources in the occupied territories through, inter alia, effective policies, legislation, regulations and adjudication.

IV. Submissions by Member States pursuant to Human Rights Council resolution 28/26

41. On 19 October 2015, OHCHR addressed notes verbales to all Permanent Missions to the United Nations Office and other international organizations in Geneva, requesting information on any steps their Governments had taken, envisaged taking or were otherwise aware of to implement the recommendations of the fact-finding mission, in particular those contained in paragraphs 116 and 117 thereof (see also paras. 5-6 of the present report).

42. On 19 October 2015, separate notes verbales were addressed to the Permanent Mission of Israel and the Permanent Observer Mission of the State of Palestine. OHCHR requested the Government of Israel to provide information on any steps that it had taken or envisaged taking to implement the recommendations of the fact-finding mission. It also requested the Government of the State of Palestine to present relevant information concerning the status of the same recommendations. At the time of the preparation of the present report, no information had been received from the Permanent Mission of Israel or the Permanent Observer Mission of the State of Palestine.

European Union

43. In a note verbale dated 1 December 2015, the Permanent Mission of the European Union to the United Nations Office and other international organizations in Geneva provided an update to its contribution of 24 November 2014, which was reflected in the report of the High Commissioner on the same subject matter, presented in March 2014 (A/HRC/25/43).

44. The European Union reaffirmed its commitment to its long-standing position not to recognize the sovereignty of Israel over territories occupied in 1967, namely, the West Bank, including East Jerusalem, the Gaza Strip and the Syrian Golan.

45. The European Union referred to the Council of Europe conclusions of 20 July 2015 on the Middle East peace process, in which the European Union recalled that settlements were illegal under international law and reiterated its strong opposition to the settlement policy of Israel and actions taken in that context, such as building the separation barrier beyond the 1967 line, demolitions and confiscation (including of assets provided through European Union-funded projects), evictions, forced transfers (including of Bedouins), illegal outposts, settler violence and restrictions of movement and access.

46. The European Union further stated that settlement activity in East Jerusalem seriously jeopardized the possibility of Jerusalem serving as the future capital of both States. The European Union reiterated that it would continue to closely monitor developments on the ground and their broader implications and that it remained ready to take further action in order to protect the viability of the two-State solution.

47. The European Union and its member States remained committed to ensuring continued, full and effective implementation of existing European Union legislation and bilateral agreements applicable to settlement products. Furthermore, it expressed its commitment to ensuring that — in line with international law — all agreements between the State of Israel and the European Union must unequivocally and explicitly indicate their inapplicability to the territories occupied by Israel in 1967.

48. The European Union noted that on 11 November 2015 the European Commission adopted an interpretative notice on the indication of origin of goods from the territories occupied by Israel since June 1967.